



## 98TH GENERAL ASSEMBLY

### State of Illinois

#### 2013 and 2014

#### SB1585

Introduced 2/13/2013, by Sen. Daniel Biss

#### SYNOPSIS AS INTRODUCED:

35 ILCS 200/2-85 new  
60 ILCS 1/Art. 27 heading new  
60 ILCS 1/27-5 new  
60 ILCS 1/27-10 new  
60 ILCS 1/27-15 new  
60 ILCS 1/27-20 new  
60 ILCS 1/27-25 new  
70 ILCS 905/25 new  
305 ILCS 5/12-3.1 new  
605 ILCS 5/5-205.10 new

Amends the Township Code. Provides that upon petition of at least 10% of the registered voters of a township, the county board shall certify and cause to be submitted to the voters of the county, at the next election, a proposition to discontinue and abolish that township's township organization and to transfer all the rights, powers, duties, assets, property, liabilities, obligations, and responsibilities of the township organization to the county. Provides that if a majority of the votes of the county cast are in favor of the proposition to discontinue and abolish the township organization, then the township organization in that township shall cease, and all the rights, powers, duties, assets, property, liabilities, obligations, and responsibilities of the township shall by operation of law vest in and be assumed by the county board, or county department or officer designated by the county board. Provides that the township officers of any township that is discontinued shall continue as officers of that township until the expiration of the respective terms for which they were elected or appointed. Amends the Property Tax Code, the Public Health District Act, the Illinois Public Aid Code, and the Illinois Highway Code to provide that, for a township organization that has been discontinued and has had its duties, powers, and responsibilities transferred to the county, the county board, or county department or officer designated by the county board, shall assume the duties of the township organization or officer of the township organization, as appropriate, exercised under those Acts. Effective immediately.

LRB098 07311 OMW 37374 b

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Property Tax Code is amended by adding  
5 Section 2-85 as follows:

6 (35 ILCS 200/2-85 new)

7 Sec. 2-85. Cessation of township organization. If township  
8 organization ceases as provided in Article 27 of the Township  
9 Code, then the county shall assume the duties of the township  
10 assessor under this Code.

11 Section 10. The Township Code is amended by adding Article  
12 27 as follows:

13 (60 ILCS 1/Art. 27 heading new)

14 ARTICLE 27. DISCONTINUANCE OF SINGULAR TOWNSHIP ORGANIZATION  
15 WITHIN A COUNTY

16 (60 ILCS 1/27-5 new)

17 Sec. 27-5. Petition to discontinue and abolish a singular  
18 township organization within a county. Upon petition of at  
19 least 10% of the registered voters of a township, the county  
20 board of the county in which the township is located shall

1 certify and cause to be submitted to the voters of the county,  
2 at the next election, a proposition to discontinue and abolish  
3 that township's township organization and to transfer all the  
4 rights, powers, duties, assets, property, liabilities,  
5 obligations, and responsibilities of the township organization  
6 to the county board, or any county department or officer  
7 designated by the county board.

8 A signature on a petition shall not be valid or counted in  
9 considering the petition unless the form requirements are  
10 complied with and the date of each signature is less than 90  
11 days before the last day for filing the petition. The statement  
12 of the person who circulates the petition must include an  
13 attestation (i) indicating the dates on which that sheet was  
14 circulated, (ii) indicating the first and last date on which  
15 that sheet was circulated, or (iii) certifying that none of the  
16 signatures on the sheet was signed more than 90 days before the  
17 last day for filing the petition. The petition shall be treated  
18 and the proposition certified in the manner provided by the  
19 general election law. After the proposition has once been  
20 submitted to the electorate, the proposition shall not be  
21 resubmitted for 4 years.

22 The proposition shall be in substantially the following  
23 form:

24 Shall (name of township) Township be discontinued and  
25 abolished with all the rights, powers, duties, assets,  
26 property, liabilities, obligations, and responsibilities

1 being assumed by (name of county) County?

2 The votes shall be recorded as "Yes" or "No".

3 (60 ILCS 1/27-10 new)

4 Sec. 27-10. Cessation of township organization. If a  
5 majority of the votes of the county cast are in favor of the  
6 proposition to discontinue and abolish the township  
7 organization, then the township organization in that township  
8 shall cease. All laws relating to counties not under township  
9 organization shall be applicable to the township, the same as  
10 if township organization had never been adopted.

11 On the effective date of the discontinuance and abolishment  
12 of the township organization, all the rights, powers, duties,  
13 assets, property, liabilities, obligations, and  
14 responsibilities of the township shall by operation of law vest  
15 in and be assumed by the county.

16 (60 ILCS 1/27-15 new)

17 Sec. 27-15. Township officers.

18 (a) The township officers of any township that is  
19 discontinued pursuant to this Article shall continue as  
20 officers of that township until the expiration of the  
21 respective terms for which they were elected or appointed.

22 (b) On and after the expiration of the term of a township  
23 officer, the county board, or county department or officer  
24 designated by the county board, shall exercise all duties and

1 responsibilities of that township officer as provided in the  
2 Township Code, the Illinois Public Aid Code, Property Tax Code,  
3 and the Illinois Highway Code, as applicable. The county may  
4 enter into an intergovernmental agreement or contract with a  
5 municipality or the State to administer the duties and  
6 responsibilities of that township officer for services under  
7 its jurisdiction.

8 (60 ILCS 1/27-20 new)

9 Sec. 27-20. Cessation of township; taxing authority. The  
10 county in which the township is located shall assume all taxing  
11 authority of the township abolished under this Article. For  
12 purposes of distribution of revenue, the county board, or  
13 county department or officer designated by the county board,  
14 shall assume the powers, duties, and obligations of the  
15 township.

16 (60 ILCS 1/27-25 new)

17 Sec. 27-25. Business, records, and property of  
18 discontinued township organization. The records of a township  
19 organization discontinued under this Article shall be  
20 deposited in the county clerk's office. The county board, or  
21 county department or officer designated by the county board,  
22 may close up all unfinished business of the township and sell  
23 and dispose of any of the property belonging to the township  
24 for benefit of the inhabitants of the county.

1 Section 15. The Public Health District Act is amended by  
2 adding Section 25 as follows:

3 (70 ILCS 905/25 new)

4 Sec. 25. Cessation of township organization. If township  
5 organization ceases as provided in Article 27 of the Township  
6 Code, then the county board, or county department or officer  
7 designated by the county board, shall assume the duties,  
8 powers, and responsibilities of the board of health for the  
9 public health district under this Act.

10 Section 20. The Illinois Public Aid Code is amended by  
11 adding Section 12-3.1 as follows:

12 (305 ILCS 5/12-3.1 new)

13 Sec. 12-3.1. Cessation of township organization. Upon the  
14 discontinuance of township organization as provided in Article  
15 27 of the Township Code, the county shall provide funds for and  
16 administer the public aid program provided by Article VI.

17 Section 25. The Illinois Highway Code is amended by adding  
18 Section 5-205.10 as follows:

19 (605 ILCS 5/5-205.10 new)

20 Sec. 5-205.10. Cessation of township organization. If

1 township organization ceases as provided in Article 27 of the  
2 Township Code, then the county shall assume the duties of  
3 highway commissioner under this Code.

4 Section 99. Effective date. This Act takes effect upon  
5 becoming law.